

1 A. I shared a telephone call with Richard
2 Thornton in which he said that some requested
3 resources were being denied, and I asked him who
4 denied them. He said, The deputy director. I said,
5 Did you ask him why? He said, No.

6 Q. Okay.

7 A. That's indirect communication.

8 Q. Sure. So just so I understand,
9 Mr. O'Connell, you weren't on a call with Andrew
10 McCabe, the deputy director of the FBI. You were
11 reported by a superior that Mr. McCabe denied some
12 activity?

13 A. Correct. Richard Thornton.

14 Q. Yeah. And was there something specific
15 that Mr. McCabe was reported to have denied resources
16 or support that you were interested in in North Dakota
17 for the DAPL protests?

18 A. We had requested the drone unit from
19 Quantico come out to assist the local authorities with
20 maintaining some form of visual surveillance of the
21 protesters in the camp as they would assemble to go
22 out and roam the countryside.

23 Q. And the drone unit, when you say "from
24 Quantico," that would be Quantico, Virginia, the
25 headquarters of the FBI?

1 aware of it so that they kind of could speak to it if
2 somebody asked them a question.

3 Q. So did they then seek to advise the
4 deputy director of the FBI of that?

5 A. I do not know the answer to that
6 question.

7 Q. You just were told by them -- by one of
8 them at least that the topic had come up to Andrew
9 McCabe, the deputy director of the FBI, and that --
10 tell me if I don't have this right, but he put the
11 kibosh on it or told Mr. Perry or Mr. Thornton that
12 no, we're not doing that?

13 A. The events went down and the
14 chronological order was that we knew there was a
15 scarcity of resources that could maintain observation
16 of the protest camp. I started doing my research. I
17 identified who at CIRG could provide the resources we
18 were looking for, the drones. We got everybody to
19 agree that this was appropriate.

20 The drones and the personnel who operate
21 them climbed on the FBI G5 and flew from I believe
22 Manassas to Bismarck, offloaded their equipment. And
23 we loaded them up in vehicles and we drove down to an
24 area just north of the Indian reservation where we
25 could stage the drones from.

1 And while we're standing there, the unit
2 chief, the head drone guy, his phone rings and it was
3 his boss saying, Hey, the plane is coming back to get
4 you, your mission has been shut down. And so a lot of
5 head scratching, not knowing what's going on.

6 And then it was later when I had the
7 conversation with Rick Thornton, who relayed to me
8 that Andrew McCabe had called him and told him that we
9 couldn't have the drones.

10 Q. So the resources were actually on site in
11 the field in Morton County proximate to the protest
12 camps on Corps property and then the plug was pulled?

13 A. Correct.

14 Q. Do you recall, is that the same time
15 frame when they arrived, it was late October or
16 November?

17 A. Correct.

18 Q. Okay.

19 A. Best of my recollection.

20 Q. And that's 2016; right?

21 A. Correct.

22 Q. The area that you mentioned where you
23 took your FBI colleagues, the drone unit people that
24 were flown from Manassas, Virginia, to Bismarck and
25 then you drove together down to the site, where